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 7 FINANCIAL INDUSTRY REGULATORY
 AUTHORITY, INC. ("FINRA")

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 11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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 14 REGINA JIMENEZ,

15 Plaintiff,

16 v.

17 NATIONAL ASSOCIATION OF SECURITIES
 DEALERS, LAWRENCE IRA PROZAN DBA
 PROZAN FINANCIAL SERVICES, MULTI-
 FINANCIAL SECURITIES CORP.,

18 Defendants.

19 CASE NO. 07-03360 MJJ

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 21 [PROPOSED] ORDER GRANTING
 22 DEFENDANT FINANCIAL
 23 REGULATORY AUTHORITY'S MOTION
 24 TO DISMISS FIRST AMENDED
 25 COMPLAINT & MOTION TO VACATE
 26 ARBITRATION AWARD

This matter came on for hearing on February 12, 2008. After considering the documents, arguments and evidence presented by the parties, and good cause appearing therefore, **IT IS HEREBY ORDERED THAT** Financial Industry Regulatory Authority (“FINRA”) Motion to Dismiss Plaintiff’s First Amended Complaint & Motion to Vacate Arbitration Award is hereby **GRANTED** with prejudice.

The complaint is dismissed pursuant to Federal Civil Rules 12(b)(1), 12(b)(6) and 12(h)(3), specifically: 1) FINRA's arbitral practices and procedures are subject to the oversight of the SEC, and plaintiff has failed to exhaust her administrative remedies by making her complaints to the SEC; 2) FINRA is protected by absolute immunity for its conduct by the doctrine of arbitral immunity; and, 3) plaintiff has not adhered to the procedure set forth in the Federal Arbitration Act for vacatur of arbitration awards, nor has she alleged that FINRA is a proper party to her securities laws claim.

DATED:

Hon. Martin J. Jenkins
United States District Court Judge

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